

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RICHARD LAWRENCE WARNER,

Plaintiff,

v.

CATHERINE MCVEY, et al.,

Defendants.

Civil Action No. 08-55 Erie

**MEMORANDUM ORDER**

This civil rights action was received by the Clerk of Court on February 20, 2008, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's oral Report and Recommendation [Doc. No. 22], filed on May 15, 2008, recommended that Plaintiff's motion for temporary restraining order [Doc. No. 8] be denied. The parties were allowed ten (10) days from the date of service to file objections. No objections were filed. After de novo review of the motion and documents in the case, as well as the transcript of the hearing on Plaintiff's motion for temporary restraining order, and together with the Report and Recommendation, the following order is entered:

AND NOW, this 18<sup>th</sup> day of June, 2008;

IT IS HEREBY ORDERED that Plaintiff's motion for temporary restraining order [Doc. No. 8] is DENIED.

The Report and Recommendation [Doc. No. 22] of Magistrate Judge Baxter, filed on May 15, 2008, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge